

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

CATHERINE A. HESSION, ROY R. LOBB, SUSAN E. GOELZ,
LAURELEE OSBORN, CHRISTOPHER D. BENJAMIN and MARGARET D. ROSA
Junior Party¹

v.

G. EDGAR RICE and MICHAEL P. BEVILACQUA
Senior Party²

Patent Interference No. 103,904

Before URYNOWICZ, SOFOCLEOUS and DOWNEY, Administrative Patent Judges.

DOWNEY, Administrative Patent Judge.

¹ Application 08/035,674, filed March 23, 1993, now Patent No. 5,357,056, issued November 22, 1994. Accorded benefit of Application 07/452,675, filed December 18, 1989, now Patent No. 5,272,263, issued December 21, 1993. Assignee to Biogen, Inc..

² Application 08/099,102, filed July 29, 1993. Accorded benefit of Application 07/310,201, filed February 14, 1989.

Interference No. 103,904

JUDGMENT

Hession et al., the junior party, filed pursuant to 37 CFR § 1.662(a) a request for entry of an adverse judgment as to all their claims which correspond to the count in this interference (Paper No. 24).

Accordingly, JUDGMENT as to the subject matter of the count in issue is hereby awarded to G. EDGAR RICE and MICHAEL P. BEVILACQUA, the senior party.

Accordingly, CATHERINE A. HESSION, ROY R. LOBB, SUSAN E. GOELZ, LAURELEE OSBORN, CHRISTOPHER D. BENJAMIN and MARGARET D. ROSA are not entitled to their patent containing claims 1-6 corresponding to the count. On this record Rice et al. are entitled to a patent containing claims 108-111.

STANLEY M. URYNOWICZ, JR.)	
Administrative Patent Judge)	
)	
)	
)	BOARD OF PATENT
MICHAEL SOFOCLEOUS)	
Administrative Patent Judge)	APPEALS AND
)	
)	INTERFERENCES
)	
MARY F. DOWNEY)	
Administrative Patent Judge)	

James F. Haley, Jr.

Interference No. 103,904

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